VIENNA, AUSTRIA
14-25 JUNE 1993

WOMEN AND HUMAN RIGHTS

The right to family planning has been recognized by the international community as a human right for over twenty years. The last International Conference on Human Rights, in Teheran in 1968, endorsed the statement that "parents have a basic human right to determine freely and responsibly the number and spacing of their children". This was reaffirmed in the 1979 Convention on the Elimination of All Forms of Discrimination Against Women, the 1984 International Conference on Population and the 1985 World Conference to Review and Appraise the Achievements of the United Nations Decade for Women.

The United Nations Population Fund (UNFPA) is dedicated to making the right to family planning a reality for individuals world-wide. This includes support for the provision of family planning information and quality services. It also involves promoting social change in order to enhance and secure women's status in society independent of motherhood.

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UNFPA takes an active part in calling attention to the discrimination women suffer in vital aspects of their lives. The Fund maintains that the denial of reproductive self-determination and neglect of reproductive health are an affront to human dignity and individual as well as communal well-being. Public resource allocation is rarely adequate to protect women's most basic rights to physical integrity and security. Pregnancy and childbirth kill over half a million women every year, the vast majority in developing countries. In fact, the disparity between maternal death rates in developed and developing countries is greater than for any other health indicator.

The Fund has worked consistently over more than 20 years to increase political support for effective measures to secure women's reproductive rights as a fundamental human right. Central to all other elements is the ability of women to have full control over their fertility, which requires that family planning information and services be provided with utmost respect for voluntarism and attention to high-quality care. Reproductive choice enables women to pursue a wider range of opportunities and to increase their participation in public life. Family planning is therefore an essential means of enhancing women's autonomy. It also has a bearing on the prevention of sexually transmitted diseases, the consequences of unwanted pregnancy, infertility, sexual health, child survival and safe motherhood. Population policies promoted by UNFPA seek to guarantee for women the human rights to equality, health and reproductive choice.

These efforts have received strong support in the international community. The 1984 International Conference on Population asserted that the "ability of women to control their own fertility forms an important basis for the enjoyment of other rights; likewise, the assurance of socio-economic opportunities on an equal basis with men and the provision of the necessary services and facilities enable women to take greater responsibility for their reproductive lives". Another recommendation states that efforts to reduce maternal morbidity and mortality should "support family planning as a health measure in maternal and child health programmes as a way of reducing births that occur too early or too late in the mother's life, of increasing the interval between births and of diminishing higher birth orders, and by giving special consideration to the needs of those in the post-partum and/or breast-feeding period".

The Amsterdam Declaration of 1989 emphasized the imperative need to "recognize that women are at the centre of the development process and that the improvement of their status and the extent to which they are free to make decisions affecting their lives and that of their families will be crucial in determining future population growth rates".

Urging Governments

The central position of women in population policies and in development in general was further underscored in General Assembly resolution 45/216 of 21 December 1990. The resolution asserts "the crucial importance of resource investments in health and education, especially for women, for the success of population programmes, and urges Governments of developing countries to strengthen, according to their economic and social capacities and conditions, their political and financial commitments to investments in the social sector, and

also urges Governments of developed countries, as well as concerned international, regional and non-governmental organizations, to strengthen their financial and technical support, in the areas of health and education, to respond positively to requests for population assistance and to increase significantly the proportion of their assistance destined for population activities."

In accordance with these international instruments, UNFPA-funded projects seek to improve the situation of women through education, training, skill development and economic activities. The Fund is also a sponsor of the Safe Motherhood Initiative, which focuses on the needs of women, particularly girls and adolescents, and on the provision of quality maternal/child health care and family planning services. In order to increase the knowledge base on women, UNFPA works closely with the United Nations Statistical Office in disseminating data on women and development. UNFPA also supports efforts of the Statistical Office to ensure that in all national data collection activities, information is collected on a gender-specific basis.

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WHO ARE THE WORLD'S INDIGENOUS PEOPLES?

People everywhere, often without realizing it, have been influenced by the cultures and achievements of indigenous peoples—through the foods on our tables, the words in our languages and the medicines we use daily for everything from headaches to heart disease.

Many of the world's staple foods, such as peppers, potatoes, lentils, peas, sugar cane, garlic and tomatoes, were first cultivated by indigenous peoples. From the various indigenous languages of the Americas come familiar words like canoe, barbecue, squash, powwow and moccasin. An estimated 75 per cent of the world's plant-based pharmaceuticals, including aspirin, digitalis and quinine, have been derived from medicinal plants found in tribal areas. Indeed, the contribution of indigenous peoples to modern civilization is pervasive.

Indigenous peoples are descendants of the original inhabitants of many lands, strikingly varied in their cultures, religions and patterns of social and economic organization. At least 5,000 indigenous groups can be distinguished by linguistic and cultural differences and by geographical separation. Some are hunters and gatherers, while others live in cities and participate fully in the culture of their national society. But all indigenous peoples retain a strong sense of their distinct cultures, the most salient feature of which is a special relationship to the land.

How many indigenous peoples are there, and where do they live?

The world's estimated 300 million indigenous people are spread across the world in more than 70 countries. Among them are the Indians of the Americas, the Inuit and Aleutians of the circumpolar region, the Saami of northern Europe, the Aborigines and Torres Strait Islanders of Australia and the Maori of New Zealand. More than 60 per cent of Bolivia's population is indigenous, and indigenous peoples make up roughly half the populations of Guatemala and Peru. China and India together have more than 150 million indigenous and tribal people. About 10 million indigenous people live in Myanmar.

What are the living conditions of indigenous peoples?

Despite their diversity, they face similar problems. Under the march of colonialism, the spread of non-indigenous religions and the relentless pace of development and modernization, indigenous groups have seen their traditional cultures eroded and their landholdings confiscated or signed away as part of the economic coercion to which they were subjected. This legacy has helped to make indigenous peoples some of the most disadvantaged groups on Earth.

► Most of India's tribal people live below the poverty line.

► The life expectancy of indigenous people in northern Russia is 18 years less than the national average.

► Unemployment among Australia's Aborigines is five times the national average.

More generally, indigenous people who are integrated into a national society face discrimination and exploitation in housing, education and in matters having to do with language and religion. Those remaining in their traditional territories face disruption of their cultures and forced displacement as their lands and natural resources are claimed for national development. It is no exaggeration to say that some indigenous peoples live under the threat of extinction.

What is the status of indigenous peoples?

The growing awareness about human rights in the post-war era of the past 40 years or so has not been matched by parallel progress in enhancing the rights of indigenous groups.

However, a new activism by Indian, tribal and aboriginal groups in the last decade or so has produced signs that a different attitude is developing.

► In 1979, the Parliament of Denmark granted self-government to Greenland and jurisdiction over education, health care, social welfare and economic development.

► Argentina, Bolivia, Colombia and Mexico have adopted far-reaching laws on the rights of indigenous people.

► The Government of New Zealand and the National Maori Congress are engaged in a constructive dialogue that aims to resolve a number of disputes, including the issue of self-rule.

► In Canada, one million indigenous people, among them Mohawk, Cree and Inuit, have increased their visibility, attained a level of political power previously unimagined and used their newfound position to protect their lands and carve out new social and economic gains.

Still, despite these successes and their growing political and organiza-

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tional competence, indigenous peoples continue to lose their lands, resources and identities.

What are the concerns of indigenous peoples?

Among the issues that concern indigenous peoples are:

- land and resources
- human rights
- internal colonization
- self-government
- self-development
- environment
- discrimination
- health
- education
- language
- cultural survival
- intellectual property rights
- social and economic conditions

Indigenous peoples see themselves as the legitimate claimants to their territories and natural resources, and consider control over local economy, social planning, land use and taxation essential to their existence. Thus they are seeking greater degrees of autonomy and self-rule.

The lives of the 50 million indigenous people who inhabit the world's tropical rainforests are threatened by deforestation. But while indigenous people are on the front lines of *environmental degradation*, they also have a vital role to play in environmental protection. For centuries, they have engaged in *sustainable land management and land use* in the areas in which they live.

The annual market value of drugs derived from medicinal plants discovered, developed and passed from generation to generation by indigenous peoples exceeds $43 billion. Drug companies tap into this indigenous knowledge but rarely share the profits with indigenous peoples. Thus indigenous peoples are attempting to gain greater protection for their *intellectual property*.

The high quality of indigenous artwork and cultural artifacts generates great demand for them, but theft and the unauthorized sale of indigenous items robs the creators of both money and their cultural patrimony. Thus indigenous peoples are looking to secure the right to their *cultural property*.

Indigenous peoples want to maintain their distinct cultures and transmit their cultural heritage to subsequent generations. Thus they are demanding the right to educate their children in their own *languages*, with their own textbooks and school material.

What are indigenous peoples doing to achieve their goals?

Indigenous peoples have been demanding justice from the international community for many years. They have organized locally, nationally and regionally and are active in the international diplomatic arena, seeking respect for their cultures and ways of life and full participation in the decisions that affect them.

Twelve indigenous peoples' organizations have consultative status with the United Nations Economic and Social Council (ECOSOC). These are: Four Directions Council, Grand Council of the Crees (Quebec), Indian Council of South America, Indian Law Resource Center, Indigenous World Association, International Indian Treaty Council, International Organization of Indigenous Resources Development, Inuit Circumpolar Conference, National Aboriginal and Islander Legal Services Secretariat, National Indian Youth Council, Nordic Saami Council and World Council of Indigenous Peoples.

Indigenous communities have also resorted to the legal system, in some cases winning recognition of their claims. The Passamaquaddy and Penobscot Indians of Maine were recently awarded $80 million over a violation of the Non-Intercourse Act, which was passed in 1790 and provided that no one could buy or take land from Indians without official United States approval. The tribes used part of the award to purchase 300,000 acres of timberland.

What is the United Nations doing for indigenous peoples?

The United Nations Working Group on Indigenous Populations is the centre of indigenous rights activities within the United Nations system. The Working Group:

- reviews Government policies covering the protection of the human rights of indigenous peoples;
- makes recommendations to the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities and to the United Nations Commission on Human Rights, which promote action on issues related to indigenous peoples; and
- is drafting, as part of its mandate to develop international standards concerning the rights of indigenous peoples, a Universal Declaration on the Rights of Indigenous Peoples, which is expected to be completed in 1993.

Increasingly, indigenous organizations make use of the United Nations complaints procedures for human rights violations. For example, the "1503" procedure established by ECOSOC enables indigenous organizations to voice their concerns before the United Nations and to appeal for redress.

The International Labour Organisation (ILO) was the first international body to take steps to promote the rights of indigenous groups. ILO Convention No. 169 on Indigenous and Tribal Peoples affirms that no State or social group has the right to deny the identity to which an indigenous people may lay claim, and places responsibility on States for ensuring, with the participation of indigenous peoples, their rights and integrity. The ILO has also launched a number of technical assistance programmes.

What is the purpose of the International Year?

The 1993 International Year for the World's Indigenous People was proclaimed by the United Nations General Assembly "to strengthen international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health".

The Year was requested by indigenous organizations and is the result of their efforts to secure their cultural integrity and status into the twenty-first century. It aims above all to encourage a new relationship between States and indigenous peoples, and between the international community and indigenous peoples—a new partnership based on mutual respect and understanding.

To assist with the Year's programmes and activities, and to foster educational and cultural events, the Secretary-General of the United Nations opened the Voluntary Fund for the International Year for the World's Indigenous People, to which Governments are invited to contribute.

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DEVELOPMENT, DEMOCRACY AND HUMAN RIGHTS

Long a proponent of the right to development for all people, UNDP has advocated an integrated approach to enable people to meet their needs and enlarge their opportunities for education, health care, employment, a sound physical environment and economic and political participation. Over the past 40 years, UNDP has supported programmes for human development in more than 150 developing countries and territories. It responds to requests for technical assistance, helping countries develop the capacity to manage their economies; fight poverty, illiteracy and disease; conserve the environment; stimulate technological innovation; and enhance the contributions of women to society.

UNDP's Resident Representative in a particular field office is also usually the Resident Coordinator for the UN system in that country. This enables UNDP to assist the Secretary-General and the specialized agencies in coordinating the efforts of the UN family towards national strategic goals and priorities. This coordinating role has been especially evident in the area of human rights, where member states have increasingly requested technical assistance. Thus far, UNDP has provided technical assistance for peace-building, electoral support and institution-building. At the World Conference on Human Rights in June 1993, UNDP and the UN Centre for Human Rights (UNCHR) will present a joint paper on the lessons learned from their experiences providing technical assistance in support of development, human rights and democracy.

Peace-building

According to the Secretary-General's *An Agenda for Peace*, the UN system should work with the underlying economic, social, cultural and humanitarian problems of a conflict in order to prevent its recurrence. Towards this end, UNDP is collaborating with UN system partners on large-scale peace-building exercises in many countries. In accordance with General Assembly resolution 42/231, UNDP has been implementing the Special Plan for Economic Cooperation in Central America (PEC), to support the fulfilment of the Central American Peace Agreement and the achievement of stability in the region. There are three main programmes: for emergencies, immediate action, and economic reactivation and social development. The PEC has contributed to building consensus among Central American countries and has mobilized $US 1 billion during its first three years.

In order to support the national reconciliation process and the strengthening of democracy, UNDP has actively contributed to grassroots projects for displaced persons, returnees and refugees within the framework of the International Conference on Central American Refugees (CIREFCA). In a longer perspective, the Summit of Central American Presidents in Tegucigalpa in December 1991 concentrated on the themes of human development, children and youth, with support from UNDP, UNICEF, UNESCO, UNFPA, WHO and other UN agencies. At this meeting the Heads of State approved National Action Plans with specific goals and, to reach human development objectives, reallocated budgetary resources totaling $US 500 million over three years.

UNDP also supports the Development Programme for Displaced Persons, Refugees and Returnees (PRODERE), a health and agriculture programme of $US 155 million for war-affected populations in Central America.

In the framework of UN peace-building, UNDP contributed to the implementation of the El Salvador Peace Agreement and contracted international reconciliation experts to formulate a National Reconstruction Plan. UNDP has mobilized aid for reconstruction, provided emergency humanitarian relief and contributed technical and administrative expertise to new democratic institutions. UNDP has worked with other UN agencies and bilateral donors to provide vocational training for ex-combatants to help them make the transition into civil society.

In Cambodia, UNDP has supported the UNTAC operation by assisting urgent reintegration and rehabilitation of refugees during the transitional period. In preparation for the demobilization, UNDP and ILO have formulated an employment generation programme for ex-soldiers to provide vocational training and small business development, combined with credit schemes. A labour-intensive programme to re-

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pair roads and irrigation works is also under way.

Electoral assistance

Over the past two decades, UNDP has been asked by several countries to provide electoral assistance, working closely with the UN system and in particular the Electoral Assistance Unit (EAU). In countries like Algeria, Haiti, Nicaragua and Mexico, efforts have focused on strengthening the infrastructure necessary for general elections.

In recent years, support has been extended to provide training for public officials, voter education, legal advice and logistical assistance, and to establish and maintain voter lists, electronic data processing systems and voter counting technologies. Recipient countries have included Albania, Cambodia, Guyana and Ethiopia.

In Burundi, Ghana and Romania, UNDP financed needs assessment missions and provided experts on voter registration and printing of ballots for elections. In El Salvador, international experts funded by UNDP worked with the Supreme Electoral Tribunal to build voter participation and prevent fraud for elections due in March 1994.

In addition to extending technical assistance, UNDP has established an Electoral Administration Project to facilitate missions to donor countries and recipient states. The aim is to create a network so that experience in electoral assistance can be shared. Working closely with the UN's EAU, UNDP has also set up an Electoral Trust Fund, which supports needs assessment missions, workshops, studies and networking.

Institution-building

UNDP responds to country requests for support to the democratization process. Jointly with UNCHR, UNDP has funded technical assistance in constitutional reform and electoral processes in Albania, Colombia and Paraguay. In Colombia, UNDP and UNCHR have worked with the Government on the modernization of the judicial system. This involved establishing a General Prosecutor for Human Rights, strengthening the Attorney General's office and creating permanent human rights offices in areas where mass violations could occur.

In Albania and Djibouti, UNDP is supporting programmes to build an independent media. In Paraguay, UNDP, UNCHR and the UN Centre for Social Development and Humanitarian Affairs arranged for a colloquium and an international expert to assist the Attorney General's office in incorporating international human rights instruments in the new constitution and reviewing the penal code and the penal process. In Honduras and Guatemala, support has been given to an Office for the Commissioner for Human Rights, which is responsible for the defence, protection and promotion of human rights.

In many countries, UNDP has supported and co-funded vocational training, management courses and human rights seminars for civil servants, lawyers, police forces, grassroots organizations and non-governmental organizations (NGOs). In Haiti, UNDP helped NGOs create teaching materials on human rights, which were used in training courses for civilians and military personnel.

In Mozambique, UNDP has assisted the Government in developing a decentralization plan which could contribute to political stability and economic growth. The plan includes training in public administration and strengthening the management capacity of provincial governments.

Development and human rights

The link between human rights and development has become increasingly prominent in international debate and is likely to be much discussed at the World Conference. Development assistance aims at redressing inequity by providing opportunities for those who would otherwise be deprived. Introducing human rights into development ensures that development serves people rather than the other way around. It is now recognized that development is more likely to be sustainable when people are free to articulate their needs and interests, and to formulate and implement programmes to address them. Participation in decision-making, including decisions on resource utilization, is part of the human rights and development continuum. Suggestions on how to create an enabling environment for human development and other connected issues are addressed in UNDP's annual *Human Development Report*, which underlines the importance of linking social and economic growth in a holistic approach to development.

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